

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:05CR537
)	
Plaintiff,)	JUDGE JOHN R. ADAMS
)	
v.)	GOVERNMENT'S RESPONSE
)	TO DEFENDANT'S MOTION TO
JOSHAWA WEBB,)	<u>COMPEL DISCOVERY</u>
)	
Defendant.)	

Now comes the United States of America, by and through its counsel, Gregory A. White, United States Attorney, and Blas E. Serrano, Assistant United States Attorney, and responds Defendant's Motion to Compel Discovery. The government avers that the government has complied with discovery, this being the fourth response filed by the government to defendant's requests or motions for discovery through all counsel during this case, thus far. Defendant Webb has requested additional information, as follows:

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1. Any telephone numbers, including cellular telephones, land lines, or e-mail, associated with the confidential informant, regarding the alleged controlled purchase of cocaine on or near October 14, 2005.

Response: The government is mailing under separate cover the information in the government's possession relating to this request.

2. Any memorialized conversations concerning a purchase/sale between the confidential informant and Joshawa Webb on or about October 14, 2005.

Response: The government has provided previous counsel with a compact disc of a conversation between Joshawa Webb and the Confidential Source on October 13, 2004, and a recording of the Kel (body) recording of the conversation during the actual drug transaction on October 14, 2006.

Response: Information received from government agents indicates that there are no other recordings, or memorialized conversations concerning the drug purchase from Joshawa Webb on October 14, 2006.

3. Any note(s), memoranda, document(s), letter(s), email messages, etc. from Special Agent Lee Lucas, or concerning Special Agent Lee Lucas and his aborted meeting with Joshawa Webb on November 23, 2005, and his doubts, concerns, etc. as to the participation of Joshawa Webb in the controlled purchase on October 14, 2005.

Response: Information received from Special Agent Lucas states that there are no notes, memoranda, document(s), letter(s), email messages, etc., relating to his contact with Joshawa Webb and his attorney at the time, Mark Marein, and that there are no doubts, concerns, etc., as to Webb's participation in the controlled crack cocaine purchase on October 14, 2005.

The government further informs defendant Joshawa Webb of its intent to use evidence, to address any of defense counsel's concerns that he may not have received all the discovery provided by the government to previous counsel. The government anticipates using at the trial of this case, the following evidence:

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1. Recordings and transcripts of the above referred conversations, that is, conversations between Joshawa Webb on October 13, 2005, and the conversation during the drug purchase on October 14, 2005.

2. Photographs of 91 West 6th Street, Mansfield, Ohio, and the actual location of the drug transaction. Map Quest driving directions between the two locations.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of November 2006, a copy of the foregoing Government's Response to Defendant's Motion to Compel Discovery and Brady Materials was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

s/ Blas E. Serrano
Blas E. Serrano
Assistant U.S. Attorney